

MISCELLANEOUS.

From the New York Mirror.

PENCILINGS BY THE WAY.

First Impressions of Foreign Scenes, Customs and Manners.

BY NATHANIEL P. WILLIS.

LONDON.

The Italian opera—Mademoiselle Grisi—a glance at Lord Brougham—Mrs Norton and Lord Sefton—Rand, the American portrait painter—an evening party at Bulwer's—palmy state of literature in modern days—fashionable neglect of females—personages present—Shiel, the orator, the prince of Moscow, Mrs Leicester Stanhope, the celebrated beauty, etc. etc.

Went to the opera to hear Julia Grisi. I stood out the first act in the pit, and saw instances of rudeness in "Fop's-alley," which I had never seen approached in three years on the continent. The high price of tickets, one would think, and the necessity of appearing in full dress, would keep the opera clear of low-bred people; but the conduct to which I refer seemed to excite no surprise, and passed off without notice, though in American, there would have been ample matter for at least four duels.

Grisi is young, very pretty, and an admirable actress—three great advantages to a singer. Her voice is under absolute command, and she manages it beautifully, but it wants the infusion of soul—the gushing, uncontrollable, passionate feeling of Malibran. You merely feel that Grisi is an accomplished artist, while Malibran melts all your criticism into love and admiration. I am easily moved by music, but I came away without much enthusiasm for the present passion of London.

The opera house is very different from those on the continent. The stage is only lighted abroad, the single lustre from the ceiling just throwing that *clair obscur* over the boxes so favorable to Italian complexions and morals. Here, the dress circles are lighted with bright chandeliers, and the whole house sits in such a blaze of light as leaves no approach even to a lady unseen. The consequence is that people here dress much more, and the opera, if less interesting to the *habitué*, is a gay thing to the many.

I went up to Lady Blessington's box for a moment, and found Strangways, the traveller, and several other distinguished men with her. Her ladyship pointed out to me Lord Brougham, flirting desperately with a pretty woman on the opposite side of the house, his mouth going with the convulsive twitch which so disgraces him, and his most unsightly of pug-noses in the strongest relief against the red lining behind. There never was a plainer man. The Honorable Mrs Norton, Sheridan's daughter and poetess, sat near to us, looking like a queen, certainly one of the most beautiful women I ever looked upon; and the gastronomical and hump-backed Lord Sefton, said to be the best judge of cookery in the world, sat in the "dandy's omnibus," a large box on a level with the stage, leaning forward with his chin on his knuckles, and waiting with evident impatience for the appearance of Fanny Elster in the ballet. Beauty and all the English opera-house surpasses any thing I have seen in the way of a spectacle.

I saw yesterday a picture of Miss Martineau, by our American painter, Rand, which excites some attention in London. Mr R. is up to the lips in success as a portrait painter, and seems in a fair way to realize a fortune—a thing he was not in a way to do when I knew him in America. Every one who was acquainted with Rand, must have been struck with his original and inventive mind, and will be pleased to see that he is turning it to account. The following notice from the Court Journal is written by Lady Charlotte Bury:—

"An extraordinary work is speedily coming out by a very extraordinary man, entitled, 'The Philosophy of Painting.' Unlike many titles, this one truly and distinctly designates the matter of which it professes to treat; how far the theory may meet with general approbation, can alone be proved by the result—but the work is original, and proceeds from a deep-thinking and unprejudiced mind. Mr Rand (the author) is by birth an American—by profession a painter. In mind and manners, gentle and unassuming, yet not without that consciousness of power which is absolutely necessary to the achievement of any great undertaking. The evil days are gone by when the name of an American was cruelly and unjustly held in disrepute by the mother land. But Washington Irving, Bryant, and Cooper, have planted a standard of renown on the field of literature, as Newton and Leslie have done on that of the arts, which may not be cast down; and it only remains for a host of followers to enlist under the same banners, in order to obtain the same success."

An evening party at Bulwer's. Not yet perfectly initiated in London hours, I arrived not far from eleven and found Mrs Bulwer alone in her illuminated rooms, whiling away an expectant hour in playing with a King Charles spaniel, that seemed by his fondness and delight to appreciate the excessive loveliness of his mistress. As far off as America, I may express even in print an admiration which is no heresy in London.

The author of Pelham is a younger son and depends on his writings for a livelihood, and, truly, measuring works of fancy by what they will bring, (not an unfair standard perhaps,) a glance around his luxurious and elegant rooms is worth reams of puff in the quarters. He lives in the heart of the fashionable quarter of London, where rents are ruinously extravagant, entertains a great deal, and is expensive in all his habits, and for this pay Messrs. Clifford, Pelham and Aram—(it would seem) most excellent good bankers. As I looked at the beautiful woman seated on the costly ottoman before me, waiting to receive the rank and fashion of London, I thought that old close-fisted literature never had better reason for his partial largess. I half forgave the miser for starving a wilderness of poets.

One of the first persons who came was Lord Byron's sister, a thin, plain, middle-aged woman, of a very serious countenance, and with very cordial and pleasing manners. The rooms soon filled, and two professed singers went industriously to work in their vocation at the piano; but, except one pale man, with staring hair, whom I took to be a poet, nobody pretended to listen. Every second woman has some strong claim to beauty in England, and the proportion of those who just miss it, by a hair's breadth as it were—who seem really to have been meant for beauties by nature, but by a slip in the moulding or pencilling are imperfect copies of the design—is really extraordinary. One after another entered, as I stood near the door with my old friend Dr Bowring for a nomenclator, and the word "lovely" or "charming," had not passed my lips before some change in the attitude, or unguarded animation had exposed the flaw, and the hasty homage (for homage it is, and an idolatrous one, that we pay to the beauty of woman) was coldly and unsparingly retracted. From a goddess upon earth to a slighted and unattractive par for matrimony is a long step, but taken on so slight a defect sometimes, as, were they marble, a sculptor would catch away with his nail.

I was surprised, and I have been struck with the same thing at several parties I have attended in London, at the neglect with which the female part of the assemblage is treated. No young man ever seems to dream of speaking to a lady, except to ask her to dance. There they sit with their mamma's, their hands

hung over each other before them in the received attitude; and if there happens to be no dancing, (as at Bulwer's) looking at a print, or eating an ice, is for them the most enlivening circumstance of the evening. As well as I recollect, it is better managed in America, and certainly society is quite another thing in France and Italy. Late in the evening a charming girl, who is the reigning belle of Naples, came in with her mother from the opera, and I made the remark to her. "I detest England for that very reason," she said frankly. "It is the fashion in London for the young men to prefer every thing to the society of women. They have their clubs, their horses, their rowing matches, their hunting and betting, and every thing else is a bore! How different are the same men at Naples! They can never get enough of one there! We are surrounded and run after—"

"Our poodle dog is quite ador'd, Our sayings are extremely quoted," and really one feels that one is a belle." She mentioned several of the beaux of last winter who had returned to England. "Here I have been in London a month, and these very men that were dying for me, at my side every day on the *Strada Nuova*, and all but fighting to dance three times with me of an evening, have only left their cards! Not because they care less about me, but because it is 'not the fashion'—it would be talked of at the club—it is 'knowing' to let us alone."

There were only three men in the party, which was a very crowded one, who could come under the head of beaux. Of the remaining part, there was much that was distinguished both for rank and talent. Shiel, the Irish orator, a small, dark, deceitful, but talented-looking man, with a very disagreeable squeaking voice, stood in a corner, very earnestly engaged in conversation with the aristocratic old earl of Clarendon. The contrast between the styles of the two men, the courtly and mild elegance of one, and the uneasy and half-bred, but shrewd earnestness of the other, was quite a study.—Fonblanc of the Examiner, with his pale and discolored-looking face, stood in the door-way between the two rooms, making the amiable with a ghastly smile to Lady Stepmo, the patroness of all callow poets and new-found geniuses of every description. The 'billious Lord Durham,' as the papers call him, with his Brutus head, and grave, severe countenance, high-bred in his appearance despite the worst possible coat and trousers, stood at the pedestal of a beautiful statue, talking politics with Bowring; and near them, leaning over a chair the Prince of Moscow, the son of Marshal Ney, a plain, but determined-looking young man, with his coat buttoned up to his throat, unconscious of every thing but the presence of the Honorable Mrs Leicester Stanhope, a very lovely woman, who was enlightening him in the prettiest English French, upon some point of national differences. Her husband, famous as Lord Byron's companion in Greece, and a great liberal in England, was introduced to me soon after by Bulwer; and we discussed the bank and the president, with a little assistance from Bowring, who joined us with a pen for the old general and his measures, till it was far into the morning.

BRUSHES AT COST.—Boston Brush manufactory, hand a very extensive assortment of brushes, on a very good and quality, manufactured or imported. Being desirous to reduce my stock of brushes, I will sell on such terms as will make it an object for dealers to call before purchasing elsewhere. N. B.—Among my brushes are four thousand dozen extra fine Ground Paint Brushes, made of the best quality Russian and Prussian bristles. Also, eight hundred dozen extra fine French bristles. Also, a superior article, made of French bristles. All brushes warranted. 1m—30

JOHN KENNEY, 43 Ann street, has the pleasure to inform his friends and the public generally, that he is now adding to his former stock a complete assortment of **SPRING CLOTHING**, made in a good and fashionable style. Also an assortment of fine **CLOTHES, KEYSERMEYER'S AND VESTINGS**, of beautiful shades and fabric, that will be made to order and warranted to fit. 4p4m3a—36

RODGERS & SON'S PENKNIVES.—A prime assortment of the genuine Rodgers & Son's Penknives, silver steel, with pearl and buck handles—do. Steel Knives and Cut-throats. Also—Rodgers's superior Razors—the genuine Chas. Emerson's Razor Straps—Dressing Cases &c., with other articles adapted for the Gentlemen's toilet—for sale by JOHN MARSH, 77 Washington st, Joy's building, opposite the post office. 11—4p6

IRISH SEALING WAX.—Just received, a few lbs of real Irish Sealing Wax—a very superior article—said to be the best in use. Also a further supply of Transparent Wafers. English and French red, black and assorted Waters of all qualities, for sale by JOHN MARSH, 77 Washington st, Joy's building. 36

TEXAS.—Guide to Texas Emigrants, by David Woodman, 127 Washington street, by David Woodman. Mr Fay's Arguments upon the petition of Benedict Penwick and others, with a portion of the documentary testimony—for sale by MARSH, CAPEN & LYON, 133 Washington st. 36

\$20 REWARD.—Lost on Saturday afternoon, between No 31 Cornhill and No 11 Brattle street, a leather wallet containing one hundred and sixty one dollars in bills mostly Boston and Charlestown Banks. The finder will receive the above reward by returning the same to Mr Frederick Hughes, 11 Brattle st. 36—4p6

COPARTNERSHIP NOTICE.—The subscribers of KEOGH & MILLER, Merchant Tailors, would inform their friends and the public generally, that they have taken No 70 Congress st, Boston, where they will keep constantly on hand a good assortment of Broadcloths, Cassimeres and Vestings, which they will make to order in a style not to be surpassed in any establishment in the city, and on the most reasonable terms for cash. 4p4m3a 32

MORE NEW CRAVATS.—One case rich English Silk Cravats received this day—No 22 of entire new and fashionable patterns. J. G. WYMAN, 71 Washington st. 32

Genuine Arrow Root.—Pure and unadulterated—Grown and manufactured in the parish of St George, Island of Jamaica—selected and put up in tin canisters, perfectly for the American market, by a gentleman residing at Bull Bay, Jamaica—for sale by LOW & REED, 24 Merchants Row. 11—2m25

REMOVAL.—E. PITMAN, Jr. would inform his friends and the public in general, that he has removed from No 12 to 38 & 40 Congress street—where may be found a good assortment of Cloths, Cassimeres, Vestings, Fancy Goods, &c. which will be sold as low as can be bought in this city. 11—2m25

T. M. BAKER, No 46 Washington street, has for sale various Philosophical, adapted to the use of female seminaries, with Questions, per quantity or retail. 11—2m25

BLANK BOOKS, of the best manufacture, and in every variety, constantly for sale at the lowest prices, by JAMES B. DOW, 362 Washington st. 11—2m25

FRENCH JUJUBE PASTE.—A beautiful article—just received and for sale by WILLIAM BROWN, No 421 Washington st. 11—2m25

3000 LBS AFRICAN CAYENNE.—3000 do Bayberry Bark, Ground—3000 lbs Shakers' Herbs—300 bottles Hot Drops—30 lbs Hot Powders—20 gross Assorted Matches—15000 Fresh Foreign Leeches—for sale at GEYER'S Apothecary store, 104 & 106 Hanover st. 11—2m25

SITUATION WANTED.—As Composer, in some office in this city, by a young man who is well acquainted with English Grammar, including Punctuation. Apply at this office. 11—2m25

SURGICAL INSTRUMENTS.—Amputating Cases—Preparatory do—Rocket do—Dissecting do—Couche do—Fagg's Forceps, &c.—just received and for sale by OLIVER FLETCHER, No 2 India st. 11—2m25

"OLDHAM'S" WINE.—25 half pipes brown and gold Sherry, entitled to denature, this day landing JAMES LEEDS, Jr. & CO. 18 Long wharf. 11—2m25

COPARTNERSHIP NOTICE.—JOHN SIMMS respectfully informs the citizens of Boston and Charles Town, that he has this day taken into partnership Mr CHARLES THOMAS of Charlestown, and that they shall continue to manufacture the first rate of Satin Beaver Hats, and keep constantly on hand a full supply, at wholesale or retail, at No 59 Commercial street. Country dealers supplied on the most liberal terms, for cash or approved credit. JOHN SIMMS obtained the premium awarded by the American Institute, in New York at the last annual Fair, for the best Best Satin Beaver Hat. 3m—m17

COPARTNERSHIP FORMED.—The subscribers of J. WISWELL, & CO. have taken into partnership under the firm of W. ING BUSINESS, at No 156 Hanover st. They will devote their whole time to the above business, and hope by their strict attention and exertion to please the public, and merit and receive a liberal share of its patronage. 11—2m25

NOTICE.—The copartnership heretofore existing between the subscribers under the firm of ROGERS & HAYDEN, is this day by mutual consent dissolved. All persons having demands, or are indebted to the above firm, are requested to make immediate settlement. JOSEPH ROGERS, OTIS HAYDEN. Boston, Feb. 21, 1835. 11

NOTICE.—The copartnership heretofore existing under the firm of FLETCHER & HAYWARD, is this day dissolved by mutual consent. The concerns of the late firm will be settled by OLIVER FLETCHER, who will continue business at the Old Stand, No 2 India street. OLIVER FLETCHER, JOSHUA H. HAYWARD. Boston, February 28th, 1835. 11

A CARD.—W. H. RODGERS, Sole Proprietor and Manufacturer of "Rodgers's Imperial Stocks," would respectfully inform gentlemen public, that in addition to the above branch of his business he keeps a general and superior assortment of Linens, Gloves, Braces, Silks, Satins, Handkerchiefs, Neckcloths &c &c—all of which he will endeavor to supply his customers as cheap and as rich articles as can be found in the city. 81 Washington street, Joy's building, No 6, 2nd floor, nearly opposite the Post Office. P&S m17

BOYS' CLOTHES, READY MADE.—A good assortment constantly on hand, suitable for boys of all ages. Also—Cloths, Cassimeres and Vestings, cheap from auction, which will be sold low by the yard, or made in garments, for gentlemen's or boys' wear, in a manner and style excelled by none in this city, at the subscribers'. JOHN WILSON & SON, No 24 Court st. (formerly at 25 State st.) Boston. m10

WM. BUTTERS, No 36 State street, (under the New England Marine Insurance Office) continues to negotiate the business of REAL ESTATE & EXCHANGE BROKERAGE. Deeds, Leases, Bills of Sale, Contracts, and other legal instruments drawn at short notice and in a style to please. He also attends to the securing and collection of outstanding claims, the adjustment of Insolvent Debtors and Partnership concerns. 4p4m3a—7

CITY INTELLIGENCE OFFICE.—No 3 Brattle square. Situations guaranteed to young men at this office within two weeks, for \$1 to young women for 12 cts. Merchants and others, in want of help, are respectfully invited to call at this office, where they can always depend upon the subscriber for the strictest attention paid to their orders—as the subscriber can have no inducement to send any persons except such as he thinks may be employed. U. J. CLARK, N. B. Houses and tenements procured on the same principle as above. 11—2m25

OLD PORT AND SHERRY WINE.—Shops of Hunt, Newman, Rouse & Co. double diamond brand, the highest grade of wine shipped by that house. 15 crs. old Port Pale Sherry, 17 do do Brown do, entitled to denature—Paul H & Co brand, well known in this market as a superior article. For sale by JOHN TYLER, No. 9 Central Wharf. 2m18

A CARD.—I. L. HILDRETH, late from the establishment of Messrs. Staples & Nichols, respectfully solicits the attention of his customers and the public in want of genteel garments, to call at No 4 Rogers' buildings, Congress square, where he flatters himself from his long experience in this business, he will be able to afford his patrons garments not inferior to any in this city. 4p1

20 BBL WHITE LEAD; 40 BBL WHITE LEAD; 15 casks dry white Lead; 40 casks white Lead; 15 casks in Oil; 40 casks French Yellow; 50 bbls Eng. Red; 10 do Copal Varnish; 5 casks Indigo; 3 casks Madder; 2 casks Opium; 3 bbls Camphor; 4 bbls Eng. Valerian; 12 casks Ext. Liquor; with a general assortment of Paints, Drugs, Dyestuffs, and Surgical Instruments—for sale by OLIVER FLETCHER, No 2 India st. 11—2m18

IN PRESS—and will be published in a few days, by B. E. Hale, 127 Washington street—'Many Things upon Money Matters,' a juvenile production upon Political Economy—for the use of young people in the United States—illustrated with numerous Engravings etc. in 1 vol. 16mo. 'Familiar Conversations upon the Constitution of the United States,' designed for the use of Common Schools, etc. in 1 vol. 18mo. 11—2m18

NOTICE TO TAILORS.—WM H. ROGERS, 6 Joy's Agent for A. F. Sagor's Sewing Machine Report and Mirror of Fashion, (published in the city of New York) will be happy to receive subscriptions for either of them. He is also appointed sole Agent for Heinrich Patent Cutting Shears, and all those who are in want of them will please make immediate application. 36

BLANK BOOKS.—Just received at the Auction and Commission Rooms, 46 Washington street, five cases of Russia bound and other Blank Books, of the best quality—making a complete assortment. They will be sold at the lowest prices. 2m25 Formerly Baker & Alexander.

BRANDY, GIN & WINES.—55 pipes and halve brandy, of various brands, including 'J. B. brand,' now landing 15 pipes Holland Gin—Weep brand. Pipes, halve and qrs Brown and Pale Sherry, St. Lucar, Port, Sicily Malveria, and Colmaner Wines—for sale by JAMES LEEDS, Jr. & CO, 18 Long wharf. 11—2m17

BEAVER HATS, CAPS, &c.—A splendid assortment of Beaver and other Hats, are kept constantly for sale at BARRY'S Commission Store, where also may be found every description of Caps, of every kind of fashion and color—Gentlemen's Gaiters, of various descriptions—silk and cotton Umbrellas, &c., &c. 4p4m3a—32

DOG LOST.—Lost, on Saturday last, a pointer puppy, about 12 weeks old, with a white streak on his forehead, white feet, white tail, and a white collar on his breast, with a yellowish colored body—short hair—long ears—long tail. Whoever will return said Dog to the stable of ANDREW MORTON Jr, Hawley place, shall be suitably rewarded. 11—2m25

LADIES' STAYS, LACES, AND AMERICAN GENTLEMEN'S SUITS.—Mrs. GRACE DUNAP respectfully informs her friends and the public, that she has for that much looked for article by connoisseurs, the American Gentleman's Suit, by large or small quantities. Also, English Calicoes, Laces, Ladies' Stays, of high European finish and taste, which she offers upon acceptable terms, Theatre Alley. 9t 11—2m25

ISAAC L. HILDRETH, Merchant Tailor, has the pleasure to inform his friends and the public that he has taken the Store No 4 Rogers' Building, Congress Square, constantly occupied by John H. Simonds—where he will keep constantly on hand a complete assortment of Cloths, Cassimeres and Vestings of the latest style in variety of fabric to suit those who may favor him with their patronage. 11—2m25

PERFORATED CARDS, &c.—This day received and for sale at MARSH, CAPEN & LYON, 133 Washington st. 11—2m25

OYSTERS.—I. B. BAKER, formerly HAMBLEN & BAKER, Commercial Oyster Room, No 98 Milk st, next door to the Commercial Coffee House, respectfully informs their customers and the public, that they have a large supply of salt and fresh Oysters, which they will sell as low as can be bought in Boston. 4p4m3a—125

FRESH GOODS.—20 bales of Stationery and rich Fanny Goods, with a variety of new articles—comprising a general assortment at wholesale and retail, on favorable terms—just received and now opening, at JOHN MARSH, No 77 Washington st, Joy's Building. 3w 11—2m25

NATHANIEL P. SNELLING respectfully gives notice to his friends and the public generally, that he is now prepared to execute any orders in the line of his profession at the shortest notice and in the most workmanlike manner, having made extensive alterations by the addition of the store adjoining, and other improvements, which will enable him to conduct a genteel Tailoring Establishment on the most extensive scale, and by strict attention to his calling, at least to merit a share of public patronage. Having made arrangements to transmit immediately on arrival the London Fashions, which will enable gentlemen to furnish themselves in the first style, and sooner than can be procured in any other establishment in this city. N. P. S. has just received from New York a splendid assortment of Cloths, Cassimeres, and Fancy Vesting. Gentlemen are requested to call and examine for themselves, particularly some splendid Cloths and London Quillings. N. P. S. continues the agency of Tailors' Chalk, an article well known by the trade as being well adapted to drawing lines on stuffs, and is easily erased. Also, a large assortment of Tape Measures, some of them a first rate article, which is much wanted by the trade in general. 11—2m25

Orders for any of the above will be promptly attended to if addressed to NATHANIEL P. SNELLING, Nos 10 & 12 Congress street, Boston. 11—2m25

BARTON'S CLOTHING STORE, 27 Brattle st.—SPRING GOODS and SPRING FASHION. A good assortment of Prime Goods from the first manufacturers of Europe and America, suitable for the present and coming seasons; consisting of Broadcloths, Cassimeres, Velvets, Vestings, Bombazines, and all articles suitable for the gentlemen's toilette. The public are invited to find this establishment equal to any in Boston for an assortment of ready made clothes, and Travellers as well as gentlemen from the country, may be suited with well made articles they may need. Dress Coats, Pantalons and Waistcoats of every shade and quality, at moderate prices. G. E. B. returns his grateful acknowledgments to his friends and the public for past patronage, and solicits them for the future. 11—2m25

PATENT ADHESIVE FELT, FOR COVERING SHIPS' BOTTOMS.—FAIRBANKS, LORING & CO. corner of Kilby and Milk have on hand, and will supply from time to time with the PATENT ADHESIVE FELT, for covering ships' bottoms. The utility of this article has been fully tested by the Board of Commissioners of the United States Navy, that during the last season it purchased more than sixty thousand sheets, and which were fitted to the bottoms of the fleet for the present year. This Felt affords a complete protection against the destructive effects of the worm, whilst, by its strength and flexibility it also prevents leakage, whether arising by working of ships in stress of weather, by accident, or otherwise. It will prevent the corrosion of iron, by the effect of the copper on iron fastenings, where the fastenings and heads of bolts are protected by a covering of it. There are many instances of ships in the East India and other services having the copper accidentally rubbed off, by which the worm has not only got through the wood, sheathing and tarred paper, but also through the plank, and occasioned leakage and damage, as well as laborious working at the pumps, and many other instances of leakage, occasioned by ships working in heavy gales. Against both of these, it is submitted a covering of the Patent Felt affords complete protection. Samples of this Felt may be seen at several of the Insurance Offices, State street, at the Marine Bureau, and also at our store, where testimonials of its utility may be seen, and directions for its application be had. Boston, March 11, 1835. TuF 11

ENOS WILDER, ENGINEER AND MACHINIST No 49 Chatham street, four doors from No 13 Merchants Row, Boston, continues to manufacture Beer, Cider, Soda and Mineral Water PUMPS, with improvements, making them superior to any now in use, made of Metal, or without corrode or injure the flavor of the Liquor. (with or without Ice Boxes), at prices from \$10 to \$15. The subscriber is frequently exchanging his Pumps, and has on hand almost every kind and size of Pump, and every Pump manufactured by him will be warranted to give perfect satisfaction or the money returned. HYDRAULIC and COMMON PUMPS, of every description. FIRE ENGINE WORK, Horse Screw, and Fire work of every kind. All orders by mail or otherwise, will be executed with neatness and dispatch at the lowest cash prices. For Sale, cheap, as above, a number of small Lathes, calculated for a gentleman's use, or any light mechanical business. 4p4m3a—2awt

PATRIDGE'S ORIGINAL LEATHER PRESERVATIVE OR OIL BLACKING. This composition, (so well known) is acknowledged to be the most convenient and cheapest article yet produced for cleaning and preserving chaise and carriage tops—through braces—harnesses—engine horse-factory bands—force bellows—traveling trunks—boots and shoes—leather exposed to the action of heat, cold and wet—giving it elasticity and firmness, renewing the color and strength, and rendering it durable and waterproof. Constantly for sale at the Manufacturer's Depository, No 18 State street, Boston, by RALPH SMITH. N. B.—Put up for the convenience of consumers in canteers of half gallon and gallon each, and as formerly in half pint canteers. 2aw6m—19

LOW & KINGSLEY have on hand and constantly for sale their Factory, in Buttrick street—Do Black Lead put in their own manufacture. Do Plaster of Paris for Stucco work and Stereotyping. Do Ground Marble. They are ready to execute orders for grinding arsenic, lac dye, litharge, cream tartar, nut galls, and most other dry articles. 2awt

SADDLE PONEY.—For sale, a large sized Poney, with long tail and mane, 5 years old—gentle—ambles, trots, and canter with uncommon ease; is kind in harness, perfectly broke and warranted sound; is kind in harness, for the use of a lady or lad, and will be sold very low if called for soon, as the present owner has no use for him. Also, a few crs. of good Sherry and S. Madeira Wine—for sale at close sales at a reduced price. Apply to J. M. ALLEN. 2aw2w 11—2m27

GILBERT L. OSGOOD respectfully informs his friends and the public that he has taken shop No 70 Friend street, where he will carry on the business of Cabinet-maker and Carpenter, and solicits patronage. Counter Cases made to order at short notice. TuF 11

REMOVAL.—G. & H. STEARNS have removed to No 10 Commercial wharf, where they offer for sale Cordage, Manila and White Rope—together with a full assortment of Ship Chandlery, on favorable terms. To Let—a Counting Room and two Lofts—inquire as above. 11—2m25

COLUMBIAN CORN SALVE.—A pleasant and effectual cure for Corns, prepared by D. DAVIS, Cambridge, Mass. The above article may be had in any quantity of TROTTER & CO, No 122 State st, and E. S. HOLDEN, corner of Beacon and Charles st, Boston. 4p4m3a—410

COACH FOR SALE.—For sale, a small genteel coach, built by a first rate workman, and is very light—it will be sold low—apply to C. MINTIRE, 5 Exchange st. 4p4m3a 11—2m25

FOR SALE.—A modern built brick Dwelling House—pleasantly situated at the south part of the city. Price \$3000. For further particulars inquire of MARSH, CAPEN & LYON, 133 Washington st. 4p4m3a—11

CHAMBER IN WASHINGTON STREET.—To be let—a Chamber on the second floor of No 46 Washington street, for the use of subscribers auction and commission room—apply to TIMOTHY M. BAKER. 4p4m3a 11—2m25

ENGLISH QUILLS.—Just received and for sale by JOHN MARSH, 77 Washington street, (Joy's Building) a fresh supply of Quills—comprising a complete assortment of the various qualities. Also—all the most approved Metallic Pens—at the lowest rate. 11—2m25

REMOVAL.—WILLIAM SNOW, Painter and Glazier has removed from No 13 Hawley place, to No 14 Franklin street, a few doors from Washington street, where he continues the above business, and invites his friends and customers to call. 4p4m3a 11—2m25

FINE PAPER.—For sale by JOHN MARSH, 77 Washington street, (Joy's Building) a select assortment of valuable Writing and Letter Paper, among which are Hudson's fine linen letter and office paper for blanks, foreign letters, &c. Also Ames' satin surface letter paper, a very cheap article. 11—2m25

CRAVAT PADS.—Gentlemen in want of Neckerchief Pads will find Rodgers' improved elastic Russian bristle silk frame Stiffeners, just the thing—for sale by the quantity or single at R. ROGERS', nearly opposite the Post Office, No 81 Washington street, Joy's building, No 6, up stairs. 11—2m25

WEBSTER'S BIBLE.—The Holy Bible—containing the Old and New Testaments in the Common Version, with amendments of the language—by Noah Webster, LL.D.—for sale by MARSH, CAPEN & LYON, 133 Washington st. 11—2m25



A JONES'S VEGETABLE HAIR OIL. For Restoring Hair on Bald Heads, strengthening and fortifying the roots against the diseases which operate so powerfully in their decay and destruction. This VEGETABLE OIL possesses very peculiar nourishing properties, which are imparted to the roots of the hair with a very few applications. It causes the hair to grow on heads that have been entirely bald for years, with astonishing rapidity. This important discovery, from the Vegetable Kingdom, prevents the hair from falling off with five or six applications—keeps it lively and healthy—frees it from scurf and dandruff—will restore it to a turning grey, and when it begins to turn, will restore it to a brilliant beauty and lustre by continuing the use of the Oil. The fragrance of this Oil is without exception and ladies and gentlemen of the first respectability have used it and approved of it, and prefer it to any other for perfuming, curling and keeping the hair moist and glossy. The growth of hair on children is much facilitated by the use of this Oil. It is decidedly superior to any other article in the United States, and the proprietor has put it up in bottles containing a sufficient quantity to produce an effect of restoring hair on any head, or of satisfying any person of its salutary effects. This Oil will cause Whiskers to grow in a very short time. It is universally approved of wherever it has been used, and will stand upon its own merits unvalued. The Proprietor has numerous testimonials, from Gentlemen and Physicians of high repute, upon the bill around each bottle, with particular directions for using it—also the proprietor's name in his own hand writing. Sold wholesale by DELANO & WHITNEY, Nos 55 & 56 Chatham street, Boston; BENJAMIN F. BROWN, No 1 Jeffry Place, Salem; and at No 1 Barclay street, New York. feb 12 4p4m3a

PATENT FEATHER DRESSING.—The subscriber having the right of Reynolds's Patent Machine for Dressing old and new Feathers, for the State of Massachusetts, and having put it in operation, he is ready to receive orders from any who may favor him with a call. The operation of the machine produces the following effect: new feathers are dried of their excessive moisture and purified of their disagreeable and unpleasant odor. The same results are effected on old feathers, and besides they are restored to their original liveliness, even after they have been long compressed together and rendered exceedingly uncomfortable for use. The feathers are thoroughly cleaned of all dirt, perspiration, and pestiferous gases, which feathers long used must have imbibed, which cannot be otherwise than injurious to health, and which has never failed to excite the wonder of those who have witnessed the result. It is the first machine of the kind ever put in operation in the United States, which has been highly recommended by physicians and others in all places where it has been established, the subscriber feels confident it will receive immediate attention from all lovers of health, comfort and economy. The operation of dressing the feathers is simple and may be witnessed by any who are disposed to call at the shop, No 102 Cambridge street, where the machine is in successful operation. 11—2m25

Feathers to be dressed can be sent and returned again in the box, without the owner's being to the inconvenience of exchanging them for the city. Those who wish can have their beds dressed and returned again the same day they are delivered, provided the work be engaged a short time previous. N. B.—The operation of the machine does not break or otherwise injure in

TUESDAY, APRIL 7, 1835.

We invite the attention of our professional brethren, particularly, to the following important and able communication upon the law of libel. It will be found worthy the consideration of legal gentlemen also, and is interesting to the whole community, as touching a subject which relates to their dearest rights. It is written with great cogency and perspicuity, and it appears to us, irresistibly proves the illegality and unconstitutionality of the present practice in the cases to which it refers.

For the Boston Morning Post.

Law of Libel.—It has been the practice in this Commonwealth we believe, for a long series of years, to indict persons for publishing what have been alleged to be libels upon individuals, societies or corporations. This libeling has been made a crime, not by statute law, but by judicial legislation, under that broad cloak, which, like charity, covers a multitude of sins, called common law. The law generally referred to in this State by all our astute lawyers, as legalizing public indictments, is the decision made by Judge Parsons in the case of the Commonwealth *versus* William Clapp, tried at the March term of the Supreme Court, for Suffolk County, in 1808, and reported in the fourth volume of the Massachusetts Reports, page 163. The defendant, one William Clapp, was indicted for making and publishing a libel against one Caleb Hayward an auctioneer, and posting it up in State Street, in the following words, viz: "Caleb Hayward is a liar, a scoundrel, a cheat, and a swindler. Don't pull this down."

On the trial the defendant insisted on his right to prove the truth of the matter charged in the libel. Justice Parker, the presiding Judge, over-ruled this, and the defendant was found guilty. On the motion for a new trial before Judge Parsons, the Counsel for the defendant contended for these points: That the Jury were not confined to the mere fact of publication, but ought to inquire into the truth of the words spoken, and the intent with which they were published: That to publish the truth with good motives and for justifiable ends, whether upon public officers or private individuals, cannot be libellous: That the opposite doctrine, that a libeller is punishable, although the matter of the libel be true, originated in the *Star Chamber Court*.

Otis, senior counsel for the defendant, contended for the right of the free citizens of a free elective republic to speak and publish the truth respecting the characters of men in office, and candidates for office; and that Hayward, as an auctioneer, was an officer appointed by public authority.

That in a civil action for a libel, the truth of the writing complained of is always received as a good and sufficient defence.

The Solicitor General on the part of the government contended, that the common law was in force in this Commonwealth, and that according to the common law, it is immaterial with respect to the issue of the libel, whether the matter be true or false; since the provocation and not the falsity is the thing to be punished criminally.

The Attorney General stated, that the common law definition of libels, shews that its guilt consists not in private injury of the persons scandalized, but in its tendency to promote quarrels and a breach of the peace. In the case of Douglas in England it was decided that on an information for a libel, it is not necessary that the libel should be alleged to be false, because it is not necessary to prove the *veritas* to be false.

No particular decision of the Courts here, adopting the common law upon this point, before the framing of the State Constitution, is recollected; but it is the constant practice of the courts, in their charges to Grand Juries, to mention libels as a proper subject for their inquiry; and as there is no statute animadverting on this species of offence, it must be in virtue of the common law that they are charged. If the crime exists only by common law, it must be considered as existing with all the rules and circumstances, which the common law annexes to it.

Chief Justice Parsons, in giving the opinion of the Court, says: "It is necessary to consider what publication is libellous, and the reason why a libellous publication is an offence against the Commonwealth." "A libel is a malicious publication, expressed either in print or writing, or by signs and pictures, tending either to blacken the memory of one dead, or the reputation of one who is alive, and expose him to public hatred, contempt or ridicule."

"The cause why libellous publications are offences against the State, is their direct tendency to a breach of the public peace, by provoking the parties injured, and their friends and families to acts of revenge, which it would not be easy to restrain, were offences of this kind not severely punished."

"The essence of the offence consists in the malice of the publication, or the intent to defame the reputation of another. In the definition of a libel, as an offence against law, it is not considered whether the publication be true or false."

"Although the truth of the words is no justification, in a criminal prosecution for a libel, yet the defendant may repel the charge by proving that the charge was made for a justifiable purpose, and not malicious, nor with intent to defame any man."

"When any man shall consent to be a candidate for a public office conferred by the election of the people, he must be considered as putting his character in issue so far as it may respect his fitness and qualifications for the office. And publications of the truth on this subject, with the honest intention of informing the people, are not a libel."

"And every man holding a public elective office may be considered as within this principle."

"For the same reason the publication of falsehood and calumny against public officers or candidates for public office, is an offence most dangerous to the people, and deserves punishment."

"But the publication of a libel maliciously and with intent to defame, whether true or false, is clearly an offence against law and sound principles, which must be adhered to, so long as the restraint of all tendencies to the breach of the public peace and to private animosity and revenge, is salutary to the Commonwealth."

"This is the law which makes a libel a crime, in this Commonwealth and the authority by which that law was made. It is exclusively Judge law—neither common law, nor statute law, but entirely the emanation from judicial legislation, as we will proceed to show."

The Constitution of Massachusetts says in the sixth clause of the sixth chapter, that "all laws which have heretofore been adopted, used and approved in the Province, Colony, or State of Massachusetts Bay, and usually practised on in the courts of law, shall still remain and be in full force until altered or repealed by the Legislature: such parts only excepted as are repugnant to the rights and liberties contained in this Constitution."

If the Constitution did not, in guaranteeing the freedom of the press, cut off the law of libel, and prohibit the Legislature from making any penal laws upon the subject of its abuse; and if it did not likewise cut off the common law, relating to indictments for libels, it has shut out the common law upon this subject. The Constitution confirms the common law only so far as it is "usually practised on in the courts of law in this Colony or State," previous to the adoption of this Constitution. In the case cited, which is the foundation of our libel law, the Attorney General, the highest law officer of the State, says: "No particular decision of the courts here, adopting the common law upon this point before the framing of the State Constitution, is recollected."

ed." If the courts had "usually practised" upon the common law in indictments for libels before the adoption of the Constitution, would the Attorney General not have found the fact and cited the cases? Would he have admitted his want of knowledge, if the facts existed? We think not. If then the common law relative to criminal prosecutions for libels had not been "usually practised upon in our courts" before the adoption of the Constitution, it could not be subsequently introduced. The courts have no right, in any case, to use the common law, or found their decisions upon it, except as it was "usually practised upon in the courts" of this State previous to the adoption of the Constitution; and this is a point worth the attention of all legal men. If, however, the common law did exist and were confirmed by the Constitution, in cases of libel, then, as the Attorney General said in Clapp's case, "it must be considered as existing, with all the rules and circumstances which the common law annexes to it."

The Solicitor General said he "had never known a decision, that the truth might be given in evidence, even when the libel charged was concerning a public officer, and reflected on his official conduct."

The Attorney General said: "The very definition of libels, viz: 'Malicious defamation of any person, and especially a magistrate, made by either printing or writing, signs or pictures, in order to provoke him to wrath, or to expose him to public hatred, contempt and ridicule,' shews that its guilt consists, not in the private injury to the persons scandalized, but in its tendency to promote quarrels and a breach of the peace."

Here then the common law of libel, if it existed at all at the adoption of the Constitution, and had been "usually practised in our courts," existed "with all the rules and circumstances annexed to it." It existed and was confirmed entire and not in parts. A part of the common law, as cited by the Attorney General, and which existed here in 1780, if any of the common law-libel law, existed, was that which applies to the libelling a magistrate or public officer. Yet Judge Parsons has undertaken to set up that portion of the common law, making a libel upon an individual a crime, and to reverse and put down that portion of it which makes the libelling a public officer an offence if the libel be true; for, he says, the cause why libellous publications are offences against the State, is their direct tendency to a breach of the public peace. * * * If the law admitted the truth of the words in this case to be a justification, the effects would be a greater injury to the party libelled." In relation to public officers and candidates for public offices, he decides that "the publications of the truth on this subject, with the honest intention of informing the people are not a libel."

Here, without any right or authority, he has cut the common law in twain, though if it really exist at all in this State, it exists entire as it was in 1780, without decisions, additions, or alterations. English decisions, subsequent to that date, upon the common law, can in no case, whether of libels or other things, become constitutionally the law of this State, except by legislative enactment.

But if the common law did exist as to libel cases, and exist in its subdivided and modified condition, as exhibited by Judge Parsons, at the adoption of the Constitution, that instrument, which is the fundamental law of the State, binding alike upon all branches of the government and people, has cut off that law.

The Constitution, in the sixteenth article of the bill of rights, says—

"The liberty of the press is essential to the security of freedom in a State; it ought not, therefore, to be restrained in this Commonwealth." This clause legalizes the unrestrained liberty of the press. It cuts off all the common law upon the subject, and utterly debars the Legislature from restraining it, or abridging its free use. Neither the Legislature nor the Judiciary have any legal authority for making the unrestrained exercise of this right, secured in the fundamental law, the Constitution, a public crime. The very idea that they have that authority, presents an anomaly in thought—a solecism or expression. It is to state that the common law sense of the law.

No publication, however odious or objectionable, can become a crime in this State, so long as our Constitution remains in its present form. The criminal law of libel only exists from an unwarrantable exercise of judicial authority. Libels in this State can only apply to individual wrong. The party injured can sue for damages. The right of the press, like other rights, must be so used as not to wrong another—but it cannot in any case, nor in any way, become a public crime. The principle on which the courts attempt to justify the judicial authority, the maintenance of the public peace, and the protection of the people against the effects of falsehoods told against public officers, and candidates for office, is altogether unsound. Libels no more tend to a breach of the peace, when committed against an individual, than when made against a public officer—yet Judge Parsons' law makes a wide difference between the two cases. They tend no more to a breach of the peace, than opprobrious epithets and taunting words spoken to an individual—and yet those acts are never made a criminal offence. The latter reason for public prosecution for libels, "because people may be deceived, and reject the best citizen" for office, goes upon the supposition that the people have not intelligence sufficient to discern truth from falsehood—a very fallacious calculation. If, however, the causes for this decision, as laid down by Judge Parsons, were well founded, yet as the people have prohibited all restraint upon the freedom of the press, it is not competent for any or all the branches of the government to alter this law.

These, no doubt, are new views to most lawyers, and to the public generally; they are, however, believed to be sound constitutional views, and that this exposition of the law, which lays the axe to the root of a whole class of legal crime, and sweeps it from the law books, if adopted by our courts, will be eminently beneficial to the public, and to every man who publishes a newspaper or other periodical; the writer of this article invites the attention of that class of our citizens to an investigation of this, to them, particularly, very important question.

The excitement upon the Temperance question in Worcester, has not in the least abated. A meeting was called on the evening of the 3d inst., at the Town Hall, of those in favor of granting licenses—more than five hundred people, we are informed, were present. It was called to order by Calvin Willard, High Sheriff, who was chosen chairman, and Mr Davis elected Secretary. The meeting was addressed by Col. Merriek, and others, after which a committee was appointed to report Resolutions, which was done, and their report accepted by acclamation. The excitement was so great, previous to the meeting, that it was with great difficulty mobs were prevented. A dispute arose at the Post Office between a Mr Jesse Goodrich, and Levi Lincoln, Jr., (a son of the late Governor) upon the subject of Temperance, when Mr G. told Mr L. that he lied—Mr Lincoln instantly knocked Mr Goodrich down—a crowd immediately collected, and it was only by great exertion that an open riot was avoided. A watch is set every night to guard the only Tavern open. This feeling of acrimony has even entered the religious societies, and threatens the most baneful effects upon the peace and order of the whole community. Travelers have been compelled to lodge in barns—the one Tavern open being incapable of containing one-half of the travellers. How this business will end, it is impossible to predict.

The celebrated Cartoons of Raffaele, now on exhibition at Harding's Gallery, are splendid almost beyond description.

The Spanish Pirates.—We understand that a highly respectable merchant of this city, who attended the trial of the Captain and crew of the *Panda*, for robbing the Mexican, has very recently returned from a visit to the Havana, where he met with the Captain of a Guineaman, who made a statement to him, which confirmed in a very unexpected manner the testimony of Perez, the U. S. evidence in the trial. The Guineaman, Captain, as he is technically termed, before he had learnt any thing concerning the trial, stated to the gentleman above alluded to, that when on the coast of Africa four of the *Panda's* crew applied to him for a passage home to Havana; but that after he had heard their story, he refused to take them. Their narrative, as reported by the Captain, the gentleman says, coincides entirely with the testimony of Perez. The gentleman is in every respect a competent judge upon this agreement of the statements, as he speaks the Spanish language, and during the examination of Perez, sat by the side of Mr Badlam, the interpreter.

The captain also states, that it was currently reported at Fernando Po, that Bernardo de Soto, the mate, shot the boatswain of the *Panda*, because he suspected him of an intention of betraying them. The cause of the death of the boatswain was never clearly established, on the trial, but it was generally supposed that he died by poison. These facts have been communicated to the President. Another gentleman, who will sail for Cuba in a few days, has been authorised by the government to procure depositions of such facts in relation to the *Panda*, as may come to his knowledge.

We like the manly and independent tone which always characterises the remarks of the Editor of the New Hampshire Patriot. In speaking of the rumor of the resignation of Maj. Barry, he says—

"We agree with the editor of the Argus, that in case there is to be a change no person is better qualified than Mr Kendall to assume the responsible duties devolving on the head of the Post Office Department. But we hope no change will take place. No man has done so much to improve that Department as Major Barry. Under his administration the mail has been carried to every man's door; and system, and order, and accountability introduced which never before existed under any head of the Department. Such a man should not be permitted to retire, in order to silence the clamor of an unprincipled opposition. Any man who does his duty in the same fearless manner, who strenuously defends the principles of republicanism and the people's rights, will be assailed in the same furious manner, by the unprincipled minions of the aristocracy. We hope Major Barry will remain, unless a more eligible situation to be useful to his country shall be offered him."

A hat overboard.—The U. S. Gazette contains an excellent story, in which the following anecdote is related. A sailor was sent aloft, in a gale, and in a moment afterwards was seen in the water—by great exertion he was rescued. The captain, delighted with the success of his manoeuvres, and with the happy attempt at saving the life of one of his crew, sent for Jobie to come aft.

Jobie, streaming with the water which he had drank, and from the bottom of which he had so recently come, presented himself before the captain with the glazed leather hat in his hand.

"How did it happen my dear fellow that you fell overboard?"

"May it please your honor," said Jobie, "I did not fall overboard—I jumped off the yard on purpose."

"How is that? Are you drunk?"

"Beg your pardon, Captain; but the fact is, my hat, which cost me nine francs, fell overboard—it was my last—and as I knew that a boat would not be put off to save that, I threw myself from the yard into the sea, that we might both be saved together, and here it is in my hand, just as you see it."

Theatrical.—The Natchez paper of the 13th ult. says—"Finn has drawn fine houses."—The following are among the names of the actors announced to appear for Mr Payne's benefit, at New Orleans:—Among the ladies, Mesdames Knight and Rowe, and the Misses Placide, Nelson and Petrie; and among the gentlemen, Power, Finn, Hodges, Keene, Thorne, Reynolds, Holland, Pearson, Farren, Scott and Williamson.

The bankites are quarrelling about their own children. The Suffolk Bank wants to hold on to the pup the United Bank is crying for. We think it would be as well to wean the Suffolk, it has had enough.

The Legislature, it is hoped, will rise to-morrow—they will pocket the pay for Fast Day, you see if they don't.

The Selectmen of Dedham have refused to grant any licenses. A storm is brewing—they are determined to have something in the fermented way.

They have sermons, and other religious services, on board the canal boats, on Sundays, in Pennsylvania.

"Not a Stockholder, but a Donor," shall appear soon.

Dreadful Accident.—We understand two men were killed this afternoon on the Providence Railroad, near the Tremont Hotel, Roxbury. The locomotives and six cars passed over their bodies, cutting them in two—one's name was Ryan, the other's not known. —Briggs's Bulletin.

Resignation of Andrew Dunlap, Esq.—We publish here the correspondence between Mr Dunlap and Judges Story and Davis, occasioned by the resignation of Mr Dunlap, of the Office of District Attorney. It will be recollected that this flattering testimonial to the high professional and official character of Mr Dunlap, comes from gentlemen opposed to him politically, but ready to bear an honorable testimony to his worth, as an officer and man. Mr Dunlap retires from a station he has so ably filled, with the universal regret of the public, at the loss of his services in that capacity, and at the calamity that occasioned his resignation. —Portland Argus.

Centennial Celebration of the Reformation.—The company of pastors of the Reformed Church at Geneva, are preparing to celebrate the anniversary which closes the third century from the acknowledgment of the Protestant Reformation in that church, on the 23d day of August next. They have invited the reformed churches in the United States, of every denomination, to send delegates to Geneva, to join in the celebration. —Daily Advertiser.

The Army and Navy Chronicle states that the Board which has been ordered to convene N. York city next month, for the examination of Midshipmen, will be composed of Commodore Jacob Jones, President, and Captains Read, Ballard, Dallas and Kearney. The Mathematical Examiners are Mr E. C. Ward, of New York, and P. J. Rodriguez, of Norfolk.

POLICE COURT.

Receiving Stolen Goods.—A case, which, from the previous professional standing of the defendant, excited an unusual degree of interest, was examined yesterday afternoon. In a complaint, signed by Mr. Samuel G. B. Eaton, it was alleged that the "Reverend Charles La Cook," had received certain goods, "well knowing the same to be stolen." The Court having inquired what was meant by the word "Reverend," in the complaint, a lithographic likeness of the defendant, in clerical habiliments, with his name inscribed in full underneath, was handed to his honor, and Mr Parks, his counsel, admitted that his client had formerly been a clergyman, and had even officiated in that capacity, at the Boston Jail. He has since, however, renounced holy orders, and opened a small apothecary's shop at the corner of Broad and Purchase streets, under which was a cellar, occupied as a sleeping apartment by himself, and his apprentice, the boy Baxter, who was sent to the House of Correction on the 28th of March, for larceny.

There were a great many witnesses introduced, and the examination was somewhat protracted, but the principal facts elicited, will be found in the following sketch of the testimony of some of the witnesses:—

S. G. B. Eaton—Had lost a great quantity of goods from time to time—such as stocks, gloves, handkerchiefs, caps, suspenders, &c.—About three months ago, detected Baxter and Smith; but Mr Cook said he had taken them to bring up, and interceded for them, and agreed to return all the goods, or pay the value of such as he did not return. On Friday week, when they went to search his premises, found a silk handkerchief on his neck, which he confessed that Ben (as Baxter is called) stole—found a cloak, which he said he had bought and paid for, but would not tell from whom—denied that it ever belonged to Baxter. After the process issued, Dr Cook said to me, "You haven't been very friendly to me; you might have given me a hint, and I might have cleared." He kept denying that there were any goods in his shop or cellar, but we still kept finding them—he brought some vests, which he said he had found in a bed, which he had ripped open, but when we said we would search, and see if the bed had been ripped, he said the vests were found in another place, but would not tell where. Of the cloak he said—"I know where I bought it, and I have got a receipt for it." About \$200's worth of goods were found at the house of a Mrs Moody Cook, a relative of his, in Essex street—she said they were left there one night, after she had gone to bed, for Dr Cook.

John Wilson, (constable's assistant) found cloak, vests, handkerchief, &c.—and a piece of linen under Dr Cook's bed, in the cellar—at first wouldn't tell who he bought the cloak from; but some days after, when pinned up pretty considerable sharp, and told that it was stolen from Wm. H. Milton's, he said he'd show where it came from—and went to Mr W's shop with witness.

Nathaniel Coolidge (Constable)—testified to the finding of the preceding articles, and also finding Baxter's small trunk, containing a great number of keys—Cook said if he had known that the linen was under the bed, that he should have put it out of the way, and that he "had always tried to screen the boys as much as he could." Found a new foot brush in the cellar, belonging to John G. McMurray.

William H. Milton—I told Wilson I never sold Dr Cook the cloak—Dr Cook said he had bought it of Baxter, but did not remember what he paid for it—said he had taken a general receipt in full for all demands from Baxter—said he would pay for the cloak, and would not do any thing about it.

H. P. Bartlett—identified a piece of kerseymer, which was stolen from his shop door—a lady from a window on the opposite side of the street, saw a couple of boys steal it, and gave notice to us—we advertised it—had since been in the possession of a tailor, Mrs Moody Cook, and brought to Mr Eaton's store, by Cook.

Articles were also identified by Messrs. Lewis H. Morris, Cornelius Driscoll, and Charles T. Brett. The goods which Baxter confesses that he stole are estimated to be worth between \$300 and \$400.

Mr Parks, in his defence, though he attempted with his usual ingenuity to explain all the evidence introduced by the complainant, consistently with his client's innocence, endeavored chiefly to induce the Court to reduce the bonds.

Judge Merrill remarked, that, upon various considerations, the defendant's case was melancholy; but that only a very ignorant man could have bought such goods from the boys without suspecting that they were stolen, and that it was perfectly evident, that one of them had been harbored by him.

The bonds were fixed at \$600, which were obtained.

Miraculous Escape.—A destructive fire occurred at Philadelphia on Wednesday. The Gazette of that city relates the following incident:—A member of the Diligent Engine Company, one of the foremost on the ground, had attached a rope to a piece of hose and dragged it on to the roof. At this moment, while he stood alone upon his dizzy elevation, a dense volume of smoke arose from and mantled the building. It was of course impossible for him to live in such an atmosphere, and he attempted to retreat; but when he raised the trap door, the flames rushed through and prevented his escape. Exhausted with the smoke, and unable either to move or call for aid, he sunk upon the roof. The crowd was not aware that any person was on the roof, and the reader may imagine the thrill of horror that passed through the multitude, when the flame burst through the roof, and dispelling the smoke, discovered the figure of a man, crouching in an attitude of terror, on the very apex of the roof. Efforts were immediately made for his relief. A number of persons proceeded to procure a ladder, and one was, after the lapse of about ten minutes, brought.

On trial, it was discovered to be too short. The crowd then held up the ladder in their hands, in such a manner as to make it reach the eaves of the house.—The sufferer rose from his situation, but was so exhausted that he fell, and would have rolled from the roof and perished, had he not been arrested by the chimney. He was too much exhausted and subdued by terror to descend to the eaves, and recourse was had to other expedients. A number of courageous young men procured ropes, and rushing through the building, which was completely filled with smoke, ascended to the garret. The ropes were then flung to the fireman, and he tied them round him, and in this manner was dragged into the building. He was, when rescued, unable to stand or speak. Not less than half an hour elapsed in these efforts to save the life of the adventurous fireman. The fire was not extinguished until half-past 1 o'clock yesterday morning. The amount of the loss must have been very considerable. —Transcript.

Saratoga Springs.—This fashionable resort—the Bath of America—will probably be more visited than ever during the coming season, and great note of preparation is making, in anticipation of crowds of fashionable tourists and invalids. Two new hotels are being erected, and the others are undergoing manifold alterations and improvements. —N. Y. Spirit of the Times.

Never Satisfied.—The fire is never satisfied with wood, the ocean with rivers, death with mankind, nor a coquette with lovers.

MASSACHUSETTS LEGISLATURE.

In the House, April 6, leave to withdraw granted in concurrence on petition of Samuel Talman.

An order that the pay roll of the members be forthwith made up, including Wednesday next; laid on the table.

Ordered, that the committee on the Revised Statutes inquire into the expediency of expunging from their report all Greek and Latin words and phrases, and substituting in lieu thereof, English words of the same import.

Bill providing for the inspection of Green Hides; laid on the table.

Bill concerning the State Lunatic Hospital; amended, and passed to be engrossed. Resolve for enlarging said Hospital, was, after some discussion, amended and passed, 114 to 79.

Bill in addition to an act concerning Riots, was read a second time, and pending a discussion thereon the House adjourned.

In the Senate, bill concerning the reeling of Silk; passed to be engrossed.

Resolves reported for the pay of the Chaplains, Messengers, &c. passed.

After a short discussion in Committee of the Whole on the subject of amending the Constitution, the committee rose, and reported that the same ought to be adopted without amendment:—accepted.

Appointments by the Lieutenant Governor and Council.—The following re-appointments have been made, limited to the term of five years, under the provisions of the Act of March 27, 1835, entitled "an Act limiting the tenure of the office of inspector":—

John B. Wells, of Boston, Inspector General of Beef and Pork.

Solomon D. Townsend, of Boston, Inspector General of Pot and Pearl Ashes.

Edmund Wright, of Boston, Inspector General of Butter and Lard.

John Dodd, of Boston, Inspector of Tobacco, for Boston and Charlestown.

Joseph Meigs, of Rochester, Inspector General of Salt, for all the counties, excepting Bristol, Barnstable and Dukes.

Samuel Leonard, of New Bedford, Inspector General of Salt for the county of Bristol.

Elijah Cobb, of Brewster, Inspector General of Salt, for the counties of Barnstable and Dukes.

QUINCY. The DEMOCRATIC CITIZENS OF QUINCY, in relation to the National Administration, are requested to meet at French's Tavern, TOMORROW EVENING, at 7 o'clock, for the purpose of electing delegates to the District Convention, to be held at Plymouth, on the 14th April. A punctual attendance is solicited. Per Order of the Town Committee.

ADJOURNMENT! THE DEMOCRATIC REPUBLICANS OF CHARLESTOWN are reminded that their meeting for the choice of Delegates to attend the District Convention at Lexington, on the 10th inst, stands adjourned to TOMORROW, at 8 o'clock, at the Town Hall.

THE SEVENTH ANNUAL MEETING of the Infant School Society of this City, will be held THIS DAY, at 11 o'clock, A. M. at the house of Mr F. E. White, No 33 My Vernon street. Subscriptions taken at the meeting. C. M. EARS, Sec'y.

WINSLOW BLUES—ATTENTION! Blues—Yours are reminded of your regular monthly meeting THIS (Tuesday) EVENING, 7th inst, at 7 o'clock, at the Armory. W. M. H. BERRIDGE, Clerk pro tem.

MARRIED. In this city, on Sunday evening, by Rev. Mr Ballou, Mr William Heath Bryant to Miss Hannah Maria Giddings, all of this city.

In this city, by Rev Mr Ballou, James Davis to Abigail Galoway.

In this city, Elbridge G. Hovey to Susan D. Barnes.

Only four days yet before the U. S. English, of the U. S. Marine Corps, to Annabella V. daughter of the late Jonathan Simpson Esq.

In Cambridge, on Sunday evening, by the Rev Mr Newell, William R. Flint to Miss Hannah, daughter of Royal Mott Esq.

In Woburn, John H. Cotes, of Boston, to Mary Jane Hutchinon.

In Ipswich, by Rev Mr Kimball, Isaac Lord Esq to Eliza Merrill, of Rowley.

DIED. In Charlestown, 4th instant, Samuel Kent, 75—5th instant, Sally Cook, 53.

In Charlestown, 1st inst, Daniel Darby, 62.

In Dorchester, on Thursday morning last, Mrs Susan Ward, 63 years.

In Marietta, Ohio, 25th ult, Elizabeth, wife of Thomas Vinton, formerly of Philadelphia, and daughter of Rev Daniel Oliver, of Boston.

NOTICE.—The Charitable Irish Society is requested to attend the funeral of Mr Edward O'Brien, from his late residence, No. —, Pleasant street, this afternoon, at 3 o'clock. WALTER MADIGAN, Sec'y.

IMPORTATIONS.

TRINIDAD—Brig Adelaide—307 hds, 41 cts, 19 blbs molasses—16 do honey.

CADIZ—Brig Garnet—113 lasts salt—2 hds, 65 cr casks sherry wine.

JAYANA—Ship Roshana—367 hhd, 141 casks, 50 tierces, 1 barrel molasses—234 half boxes, 341 quarter do—10 cases cigars—15 boxes sweetmeats—4 boxes, 6 half do sugar—4000 lbs pig iron—550 lbs old copper—12 blbs oranges—6 cases indigo—1000 lbs.

CHARLESTON—Ship Seaman—160 bales cotton—496 tierces, 93 half do rice—15 bales steel—6 crates earthenware.

SHIP-NEWS—1835.

PORT OF BOSTON—APRIL 6, 1835.

ARRIVED.

Ship Rosanna, Jennings, Havana 20th ult. Left ships Panama, Thomas, New Orleans 2 ds; Nestor, Sisco, and Saracene-Hammond, nce; Roscius, Symmes, dis; Forum, Trask, Bre men, and bark Newlyn, Hattaway, nce; Roman, Henry, Boston 2; Dryno, Upton, dis; Navarino, Smith, New York 3; brigs, Mexican, Lefavour, and Cyclops, Carver, nce; Wm Henry, Winslow, dis; Plato, Alling, Rotterdam few days; Pactolus, Oxnard, dis; Lima, Lord, New Orleans next day; Caselle, Goodrich, Boston 2; Luey Ann, Hunt, do few days; Eurotas, Turner, Covos, nce; Charlotte, Galt, Waverly, Rice, and Ireland, Dunbar, dis; Nym, Norris, 17 ds in Port land; sch Elmlee, Parsons, nce. Sailed 14th, ship Bashaw, Tyng, Covos; brigs Martha, Mobile; Alexandria, Coombs, Calmito; 20th, ship North America, Churchill, Boston. Sailed in co bark, Marchwood, Johnson, Amsterdam. Spoke 23rd ult, lat 56 1/2, lon 72 1/2, sch Boston, Drinkwater, 11 ds from Porto Rico for Boston; 29th, lat 39 1/2, lon 72, was boarded from ship Triton, 55 days fm St Helena for Plymouth, with 700 bls oil, and supplied her with vegetables.

Bark Hume (cow), Hopkiss, Duxbury.

Brig Garnet, Burgess, Cadiz 15th Feb, Spoke in the Bay, this morning, brig Curlew, for Salem.

Brig Adelaide, Baker, Trinidad 16th ult. Brigs Africa, and Juan, hence, ar 15th. Left brig Alexander, Pendleton, waiting cargo, Spoke 27th ult, lat 35 30, lon 74 40, brig Ann, of Bath, for Boston, did not leave where from; 4th inst, lat 42 1/2, lon 64 1/2, brig Clatham, hence for Cay Cay.

Brig Cervantes, Kendrick, Charleston.

Brig Heber, Conthouy, Providence.

Brig Sarah & Elizabeth, Howes, Providence.

Sch. Moun Vernon, Maxton, Baltimore.

Sch. Carroll, Hunt, Philadelphia.

Sch. Mohican, Hallett, New York.

Sloop Sarah, Provincetown.

CLEARED. Bark Noble, Stevens, New Orleans;

Friday, at 10 o'clock, at No - Washington street,
the stock of Marble slabs &c of Mr John Clark.
as hereafter.

